

REMARKS

Applicants have carefully studied the outstanding Office Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

The application as examined included Claims 1 - 130, of which Claims 1 - 63 were cancelled, Claims 96 - 130 were withdrawn and Claims 64 - 95 were examined.

In the present response, Claims 64 and 76 - 77 are amended. Claims 67 - 75 and 78 - 82 are unchanged. Claims 65 - 66 and 83 - 130 are cancelled without prejudice. Claims 131 - 133 are added.

Support for Claim 131 is found, *inter alia*, in Fig. 23 and the description thereof, specifically in paragraph [0236] of the application as published (U.S. Patent Publication No. 2007/0079894).

Support for Claim 132 is found, *inter alia*, in Fig. 22 and the description thereof, specifically in paragraph [0232] of the application as published (U.S. Patent Publication No. 2007/0079894).

Support for Claim 133 is found, *inter alia*, in Fig. 9C and the description thereof, specifically in paragraph [0191] of the application as published (U.S. Patent Publication No. 2007/0079894).

Claims 64 - 67, 70 - 71, 73 - 77, 79-84, 86-90 and 92-95 stand rejected

under 35 U.S.C. 102(b) as being anticipated by Russo (U.S. Patent No. 6,221,041).

Claims 68 - 69, 78 and 91 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Russo. Claims 72 and 85 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Russo.

Russo describes a fluid transfer device connecting a medicinal vessel and an intravenous (IV) bag for enabling the mixing in closed system of the two products contained therein by means of a syringe, comprising a three-way plug valve assembly with a first port ending in a connector for a syringe, and a second and a third port, each one provided into a respective spike connected to a housing for a container of medicinal product.

Applicants express appreciation to Examiner Timothy Maust for the courtesy of a telephone interview, which was granted to Applicant Eli Shemesh and Applicants' representative, Sanford T. Colb (Reg. No. 26,856), on September 7, 2011. The substance of the interview is set forth in the Interview Summary.

The Interview Summary states, in relevant part, "Applicant's representative proposed language to amend Claim 64 with the following language: 'said at least one syringe adaptor comprising: a septa housing; at least two septa enclosed in said septa housing, said at least two septa defining a space therebetween; and a needle, including a tip located in said space when said syringe adaptor is not connected to said at least one of said at least one receptacle port adaptor and said at least one vial adaptor.' The remaining claims will be canceled. Upon receiving the formal amendment, the examiner will update the search prior to taking any further action.

Further, the Applicant's representative will be contacted if relevant art is found to discuss possible further amendments.”

Applicants have accordingly amended independent Claim 64 as discussed in the telephone interview. Amended Claim 64 now includes, *inter alia*, the recitation “said at least one syringe adaptor comprising: a septa housing; at least two septa enclosed in said septa housing, said at least two septa defining a space therebetween; and a needle, including a tip located in said space when said syringe adaptor is not connected to said at least one of said at least one receptacle port adaptor and said at least one vial adaptor.” Support for the amendment to Claim 64 is found, *inter alia*, *inter alia*, in Figs. 7 and 22 and the description thereof, specifically in paragraphs [0179], [0188]-[0189] and [0231] of the application as published (U.S. Patent Publication No. 2007/0079894).

As discussed in the interview, applicants respectfully submit that Russo does not show or suggest the drug mixing system recited in amended Claim 64, including, *inter alia*, “said at least one syringe adaptor comprising a septa housing, at least two septa enclosed in said septa housing, said at least two septa defining a space therebetween, and a needle, including a tip located in said space when said syringe adaptor is not connected to said at least one of said at least one receptacle port adaptor and said at least one vial adaptor.” Amended Claim 64 is therefore patentable.

Applicants also express appreciation to Examiner Timothy Maust for the courtesy of an interview, which was granted to Applicants’ representative, Sanford T. Colb (Reg. No. 26,856), on July 12, 2011 at the USPTO. The substance of the interview is set forth in the Interview Summary.

At the July 12, 2011 interview, proposed amendments to independent Claims 64 and 83 were discussed vis-à-vis the prior art of Russo. As noted above, in the September 7, 2011 telephone interview, further proposed amendments to Claim 64 were discussed vis-à-vis the prior art of Russo.

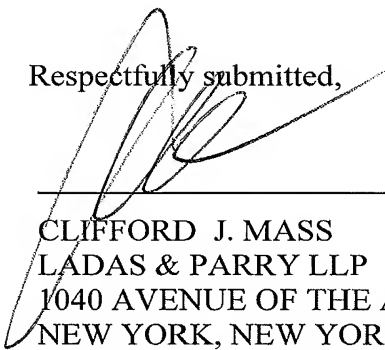
Claims 76 - 77 are amended in light of the amendments to Claim 64.

Claims 67 - 82 and 131 - 133 each depend directly or ultimately from Claim 64 and are therefore patentable.

Applicants reserve the right to pursue the claims as originally filed in the context of a continuation application.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,



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